



UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
FREEDOM OF INFORMATION OFFICE
Washington D.C. 20570

via email

DATE: September 13, 2013

Marianne Adams
Sprint Corporation
12502 Sunrise Valley Drive
VARESA0208
Reston, VA 20196

Re: FOIA ID/LR-2013-0771

Dear Ms. Adams:

Pursuant to **Executive Order No. 12,6000**, and the **Board's Rules and Regulations § 102.117(c)(2)(iv)**, we wish to inform you that the National Labor Relations Board has received a Freedom of Information Act (FOIA) request from Michael Morisy for copies of contracts for iOS, Android, BlackBerry, and Windows Phone App development for the NLRB. The request encompasses the contracts and amendments/modifications—to which Sprint is a signatory—that are attached to this email. The documents include:

NLRB Task Order 59F-120016 (Contract No. GS00T07NSD0039),
(signed 3/12/12);
Amendment 1 (signed 4/24/12);
Amendment 2 (signed 6/5/12);
Amendment 3 (signed 7/10/12);
Amendment 4 (signed 9/18/12);
Amendment 5 (signed 9/24/12);
Amendment 6 (signed 9/25/12);
Amendment 7 (signed 9/25/12);
Amendment 8 (signed 1/3/13);
Amendment 9 (signed 1/3/13);
Amendment 10 (signature undated); and
Amendment 11 (signed 5/23/13).

The documents may contain information arguably covered by FOIA Exemption 4, 5 U.S.C. § 552(b)(4).

Exemption 4 of the Freedom of Information Act precludes an agency from releasing to a FOIA requester trade secrets and commercial or financial information obtained by the Agency from a "person" where the information is privileged or confidential. Under **Executive Order No. 12,6000**, and the **Board's Rules and Regulations § 102.117(c)(2)(iv)** the Agency is required to notify parties who have submitted evidence or material that may be subject to disclosure of the request and

to provide the submitter with an opportunity to comment on the proposed disclosure. Accordingly, this is to request that you inform us no later than **September 27, 2013** of your position with respect to our disclosure of these documents. If you do not submit a timely written objection, the Agency may assume that the requested records do not contain information covered by Exemption 4.

In your response, please specify those portions of the records which you assert should not be disclosed, and state in detail all grounds upon which disclosure is opposed, including whether and how disclosure of the records is likely to cause substantial competitive harm to your organization and is likely to impact on the government's ability to obtain reliable information in the future, or whether the information contained in the records is customarily disclosed to the public. Factual assertions in your written submission should, if appropriate, be supported by declarations or affidavits; however, any information you provide in support may itself be subject to disclosure under the FOIA.

If, after review of your submission, the Agency determines to disclose the requested information, you will be sent a written statement briefly explaining the Agency's decision and indicating a designated disclosure date. See ***Board's Rules and Regulations*** § 102.117(c) (2)(iv)(E).

If you wish to consent to disclosure, you may either: (1) not respond to this letter, in which case the Agency must wait at least 10 working days from the date of this letter before we can release the information at issue to the FOIA requester, or (2) to expedite the Agency's release of the records, you may immediately submit a letter consenting to the disclosure of the requested information notwithstanding their potential Exemption 4 protections.

By a copy of this letter, we are advising Mr. Morisy of your opportunity to comment on the proposed disclosure.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric G. Moskowitz".

Eric G. Moskowitz
Acting Freedom of Information Officer
(202) 273-3840

Enclosures

cc: **Michael Morisy**

LR-2013-0771.adams.pl.doc
PL/kmb